

Senate bill No. 19, being "An act to authorize the Governor to call to his aid two qualified voters to serve for a term not exceeding 100 day per annum to perform such duties as may be directed by him consistent with the Constitution pertaining to applications for pardon, and to be known as a board of pardon advisers, and to provide for the compensation of such persons,"

And find the same correctly enrolled, and have this day at 3:35 p. m. presented the same to the Governor for his approval.

IMBODEN, Chairman.

Senator Lawhon moved that 300 copies of the proceedings of the Court of Impeachment on the demurrers, and for each day thereafter, be printed for the use of the court.

Carried.

On motion of Senator Jester, the Senate adjourned to 9 a. m. to-morrow by the following vote:

YEAS—14.

Agnew,	Lawhon,
Boren,	Lewis,
Cranford,	McKinney,
Douglass,	Smith,
Hutchison,	Tips,
Jester,	Woods,
Kearby,	Yoakum.

NAYS—8.

Baldwin,	Greer,
Crowley,	Imboden,
Dean,	Shelburne,
Dickson,	Simpson.

ABSENT—7.

Atlee,	Presler,
Bowser,	Steele,
Goss,	Swayne,
McComb,	

EXCUSED—2.

Browning,	Whitaker.
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NINETY-FOURTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, May 2, 1893.

Senate met pursuant to adjournment.

President Pro Tem. Kearby in the chair.

Roll called.

No quorum, the following answering to their names.

PRESENT—16.

Agnew,	Hutchison,
Baldwin,	Jester,
Boren,	Kearby,
Cranford,	McKinney,
Dean,	Shelburne,
Dickson,	Simpson,

Douglass,
Greer,

Woods,
Yoakum.

ABSENT—13.

Atlee,
Bowser,
Crowley,
Goss,
Imboden,
Lawhon,
Lewis,

McComb,
Presler,
Smith,
Steele,
Swayne,
Tips.

EXCUSED—2.

Browning,

Whitaker.

Senator Cranford moved a call of the Senate, which was ordered, the following answering to their names:

PRESENT—20.

Agnew,
Baldwin,
Boren,
Cranford,
Dean,
Dickson,
Douglass,
Greer,
Hutchison,
Imboden,

Jester,
Kearby,
Lawhon,
McKinney,
Shelburne,
Simpson,
Smith,
Steele,
Woods,
Yoakum.

ABSENT WITHOUT LEAVE—9.

Atlee,
Bowser,
Crowley,
Goss,
Lewis,

McComb,
Presler,
Swayne,
Tips.

EXCUSED—2.

Browning,

Whitaker.

Senator Dean moved that the Senate take a recess of fifteen minutes.

Lost.

(Senator Tips announced.)

Quorum present.

No prayer, the chaplain being absent.

Pending reading of the journal of yesterday.

On motion of Senator Steele, the reading of same was suspended.

HOUSE MESSAGE.

HOUSE OF REPRESENTATIVES.

AUSTIN, TEXAS, May 1, 1893.

Hon. M. M. Crane, President of the Senate:

SIR: I am directed by the House to inform the Senate of the passage by the House of the following bill, to-wit:

House bill No. 708, "An act for the relief of citizens of the city of Cisco and Eastland county who are sufferers from a tornado on the night of April 28, 1893, and to appropriate ten thousand (\$10,000) dollars therefor."

Passed by a two-thirds vote; ayes 89, nays none.

Respectfully,

GEO. W FINGER,
Chief Clerk House of Representatives.

IN SENATE.

House bill No. 708, entitled "An act for the immediate relief of citizens of the city of Cisco and Eastland county, who are sufferers from a tornado on the night of April 28, 1893, and to appropriate \$10,000 therefor.

Read first time and referred to Committee on Finance.

The Chair announced that the hour having arrived, the Senate would resolve itself into Court of Impeachment.

AFTER COURT—IN SENATE.

Lieutenant-Governor Crane in the chair.

By consent, Senator Imboden sent up the following memorials, which were ordered printed in journal:

AUSTIN, TEXAS, March 23, 1893.

Hon. J. W. Truit, Chairman Legislative Educational Visiting Committee:

Sir: We herewith hand you a communication from the board of directors of the Agricultural and Mechanical college and Prairie View State normal school, explanatory of criticisms made by said committee in their recent report to the Legislature pertaining to the conditions of said schools, and respectfully ask that you do us the kindness to have the same spread upon the journals of both the Senate and the House.

Be kind enough to acknowledge receipt and inform us what disposition will be made of same.

Very respectfully,

A. J. ROSE.

President Board Directors.

W. R. CAVITT.

Local Director and Secretary Board.

JOHN D. FIELDS.

JOHN ADRIANCE.

AUSTIN, TEXAS, March 23, 1893.

Hon. J. W. Truit, Chairman Legislative Educational Committee:

Sir: The report of the honorable visiting committee has been received and read by the board of directors of the Agricultural and Mechanical college and Prairie View State normal school, who beg leave to submit the following statement, and ask that the same be printed in the journals of the Legislature.

Taking their report in the order of its statements we assert first, that the presidency of the college was created in 1879 by a board composed of Governor Richard Coke, Lieutenant-Governor R. B. Hubbard, Guy M. Bryan, Sr., B. H. Davis and C. S. West, and the salary fixed at \$4000, and Jefferson Davis was elected to the position. He declined and T. S. Gathright was elected at a salary

of \$3000. After his service terminated, a board composed of Governor O. M. Roberts, Lieutenant-Governor J. D. Sayers, Speaker of the House, John H. Cochran, E. B. Pickett, A. J. Peeler, J. K. Dickson, H. W. Lydey, J. W. Durant and Geo. Pfeuffer, elected John G. James. He was succeeded by J. R. Cole, who was elected by the following board: Hon. Geo. Pfeuffer, J. D. Thomas, T. M. Scott, C. C. Wiggin and J. G. Garrison. He resigned, after which, this same board, created the office of agent of the board, who with the chairman of the faculty, discharged the duties until it was deemed advisable by the present board to again elect a president, and the position was tendered to Governor L. S. Ross, who accepted and entered upon his duties February 2, 1891, at a salary of \$3500. And, besides his executive duties, he was clothed with the duties formerly discharged by the fiscal agent of the board and chairman of the faculty, and was also made treasurer of the Agricultural and Mechanical college and experiment station, and ex-officio treasurer and purchasing agent for the the Prairie View State normal school; also chairman of the building committee to superintend the awarding of contracts and erection of all buildings at the Agricultural and Mechanical college and Prairie View normal school.

The honorable committee then commend "the sanitary regulations and general health of the college, students' quarters, the Young Men's Christian Association," and the fact that "the pernicious practice of hazing has been suppressed" by the present administration and they add that "the military discipline has been much improved in the last two years according to the general expression on the subject."

"The sufficient quantity and variety of food" was admitted but "there was complaint as to the cleanliness of food and cooking." On these points the board submit that the very best cooks and waiters to be had in the country are employed, and that the attention of the Legislature has heretofore been called to the inadequate accommodation at the mess hall, and they were asked for increased facilities in the way of dining hall, kitchen, etc., without which the board have known the students could not be properly accommodated.

"The laundry work was strongly and unanimously condemned." We state in reply, that the college has no laundry establishment, but has been compelled to rely on the laundries at Houston, until the citizens of Bryan erected one, and the college has since patronized it, as the best that could be done, until

the Legislature might see fit to make an appropriation for one at the college.

In regard to that part of the report charging carelessness and inattention upon the surgeon, it is believed that the committee has been misinformed, and thereby mislead. For refutation of this criticism, reference is most respectfully made to the president, professors and all who have been under medical treatment at the college. The surgeon's duties are of such a character that must necessarily subject him to some complaint from students who attempt to avoid duty by getting on the sick list. They find "the mechanical department in good condition," and speak favorably of "the creamery and cheese building for practical instruction in dairying and cheese making;" also "the stock for breeding and dairy purposes and feeding tests were found in good condition and well managed."

And they joined the Board in recommending the establishment of an electric light plant. And it is but just to the board of directors to here record the fact that the committee find the Prairie View State Normal School in a satisfactory condition and well managed, but failed to note the fact that it is also under the direction of the same board.

In regard to the charge that positions have been created and promotions made to advance the interest of friends and relatives, rather than that of the college, we reply that there is only one member of the board having a relative connected with the college, whose son was a graduate of the college and an assistant professor long before his father was a member of the board, and no persons have been, at any time, rewarded because they were friends. Nepotism has always been scrupulously avoided. And we believe that the salaries fixed permanently by the action of the board June 8, 1892, will bear favorable comparison with these given for the same line of work in other institutions of like character, and are much less than the salaries in other State institutions of learning. But one instance is cited, and that is the steward, which they assert "has been increased from time to time until it now amounts to \$2000 per annum, with a good residence, water, fuel, lights and board for himself and family, furnished by the State," which is claimed "to be extravagant when compared with salaries of similar officers of other State institutions." The facts are, he occupies two rooms in the third story of the mess hall and pays for lights and washing and fur-

nishes his own furniture of every description. He has but one child, and she has been off at school for three years during school terms. Board is furnished him and his wife. She attends to all the duties of a housekeeper in the fullest sense at the mess hall, which are not less onerous than those connected with the largest boarding schools in the State, and without pay. The duties of the steward are too numerous to mention in detail, but more than embrace all the duties discharged by the steward, assistant steward, housekeeper and paying agent at the Driskill Hotel, for which services they are paid a total monthly salary of \$285, or \$3420 per annum, with furnished rooms, washing, lights, etc., free. The persons fed daily at the Driskill hotel average about seventy-five, while at the Agricultural and Mechanical college, with students, professors and employes, the average is not less than 275. Then we submit that his duties and salary should be compared with those in similar positions in large hotels, rather than those of the institutions cited by the visiting committee. We refer to J. M. Day of the Driskill, and the proprietors of other hotels. As an evidence of the concurrent judgment of a former board of directors of the Agricultural and Mechanical college on this point, and to correct the idea conveyed that the present management inaugurated the payment of what the committee claimed to be "an extravagant salary to the steward," we state the fact that a former board of directors, composed of Governor R. B. Hubbard, Lieutenant-Governor Wells Thompson, B. H. Davis, T. M. Scott, E. B. Pickett, A. J. Peeler and Charles DeMorse passed the following resolution November 17, 1877: "That the hereinafter named officers of the Agricultural and Mechanical College receive and be paid the following annual salaries, to-wit: Surgeon, \$2000; steward, \$2000" and there were not nearly so many students and others here then.

The committee say that "change in salaries has been frequent, always increase in pay." We say to this that the board have reduced the cost of service in the president and treasurer's office \$800 per annum, abolished the office of foreman of the farm at a salary of \$800 per annum, and reduced the salary of one professor \$250 and that of another from \$2000 to \$1500, and a year after increased it to \$1800, a difference of \$200 per annum, making

a total saving, in these instances, of \$2050 per annum. These changes have all been made since January, 1891, and a matter of record.

The honorable committee is mistaken as to the "\$10,142 and board for twenty-two employes paid by the State." The State and Experiment Station pay about \$4250 to the laborers mentioned. The Experiment Station pays about one-half of this \$4250, and the remainder, about \$6000, is paid from the subsistence of board account paid by the students out of the \$140 (exclusive of the trust fund), for the nine months session, making a difference of something over \$11,664 for the two years as they stated. We further state that one-half of the salary of the president, one-third of the salary of the Secretary of the board, and the secretary of the college and the bookkeeper, amounting to \$2950 per annum, or \$5900 per annum for two years, is paid by Prairie View Normal School, and should be deducted from the total salaries of the Agricultural and Mechanical College, as given by the committee.

It is further charged that "yet the management of the college has been such as to divert it in a great measure from the plain purpose of its founding and to convert it largely into a military and literary school." In regard to this we say that it has been the uniform custom of the directors, since the college was organized, to confide the regulations of the course of study to the faculty, as experts in this line of thought, and no member thereof has ever complained to the present board that his views have been overruled by the faculty. And we further submit the action of the faculty on this point, to-wit:

COLLEGE STATION, TEXAS,
March 15, 1893.

To the Honorable Board of Directors of the
Agricultural and Mechanical College of
Texas:

Gentlemen: In the report of the legislative committee, which recently visited the college, occurs the following language: "The management of the college has been such as to divert it in a great measure from the plain purpose of its founding."

Recognizing the fact that your honorable body have virtually left the making up of the course of study in our hands, and have exercised only a formal supervision of it, we feel that we are responsible for the course as it is, and deem it proper that we should give you some expression in regard to the statement quoted above. We

assert that this is an agricultural college in fact as well as in name, and that it is not "diverted in a great measure from the plain purpose of its founding." In support of this position we submit:

That during the four years' work in the agricultural course the student receives instruction in the following subjects:

Elementary agriculture, domestic animals, botany, fruit culture, selection of dairy stock, stock breeding, vegetable culture, systematic botany, veterinary medicine, entomology, feeding of live stock, agricultural chemistry, farm drainage, plant physiology, forestry, fertilizers, farm management, forage plants and injurious insects.

In addition, practice is required in the following subjects: Field and garden work, horticulture, drawing, creamery work, chemistry, entomology, cattle feeding, land surveying, dissecting, microscopic work in veterinary medicine and botany. These are the subjects which lie at the foundation of a scientific and practical education in agriculture. A comparison with the curricula of other agricultural colleges will show that we are supported in this belief by the judgment of men in other States, who have given time and thought to this matter. Without going into details, we submit that the mechanical course compares favorably with the agricultural in the time devoted to it, and in the studies pursued. Its efficiency is conceded by the committee. We assert that the courses open to the student at this college do present to him an opportunity of acquiring theoretical and practical knowledge of such branches of learning as are related to agriculture and mechanic arts.

Now, then, is it true that undue attention is given to those auxiliary subjects referred to in the law of Congress in the words "without excluding other scientific and classical studies, and including military tactics." In other words, has the college been converted "largely into a literary and military school?" On this point we beg leave to submit that the instruction in English does not go beyond the point which should be reached by an educated man in any calling; that no foreign language is required of students in either the agricultural or mechanical courses.

We appreciate the value of the study of foreign languages as a mental discipline, and as an important aid in the prosecution of scientific work in any

department, but at the same time we have purposely and persistently kept these studies out of the agricultural and mechanical courses.

In the military department, the drill and other duties are so interwoven with good order and discipline that the faculty have been unwilling to curtail the one at the risk of impairing the other. The steady improvement in the matter of discipline in the last three years has, in our opinion, fully warranted the allotment of the time which is devoted to this department. And, in this connection, it may be well to show the actual time spent in military work. The military exercises of all kinds occupy time equivalent to an average of about four and one-half hours per week during the fall and spring terms. There is no drill during the winter term. Guard mounting and guard duty are connected with discipline. Recitations and tactics occupy two hours per week for the winter term for the second class only, or about twenty hours actual time in the whole four years. And it has been the custom to exempt from drill students who have desired to work their way through college, requiring only that they should understand the manual of arms and pursue the brief course in tactics mentioned above.

The course of study is revised from year to year, and we believe that this has been done along the line of improvement and expansion, and always with the general policy, namely, to offer here the opportunity for acquiring a sound agricultural and mechanical education. Knowing, gentlemen, that you are, equally with us, desirous of promoting the best interests of the college, we submit the foregoing statements for your consideration.

L. S. ROSS, President,

CHAS. PURYEAR, Secretary.

In regard to that part of the report relating to the commandant and his duties being too onerous, we are informed that he does not complain of being overworked, and the hearty commendation of the committee of the efficiency thereof, coupled with the fact that the present standard of morals and deportment of the cadets is far higher than at any period in the history of the college, is deemed sufficient answer to this criticism. The board of directors have always favored the idea of each professor taking a personal interest in maintaining good order and discipline at the college, and here reaffirm their recommendations in that direction.

They say that "the board of directors also exposed itself to adverse criticism by purchase of cattle and hogs from individual members of the board for the use of Prairie View Normal School."

This refers to the purchase of ten head of young graded Jersey milk cows and calves and one Jersey male, from a member of the board about four years ago, and four pure Essex hogs from another member by agents of the board. These are the only occurrences of this kind, made in good faith, and as was thought at the time, solely for the interests of the school, and have not been repeated.

The remaining part of the report, relating to non-instructive labor, and the necessity for an appropriation for a student labor fund by the Legislature to assist worthy young men seeking advantages of the Agricultural and Mechanical college, and unable to pay their way otherwise than by work, voices the sentiment and recommendations of the board of directors and the president previously made in their biennial reports. We believe that practical education in the agricultural department should be made more prominent, and it is the purpose of the board to attain that end.

In conclusion we offer as evidence of continued reductions in the expenses of students at the college, the following facts:

That a former board of directors, composed of Governor O. M. Roberts, Lieutenant-Governor J. D. Sayers, Speaker John H. Cochran, A. J. Peeler, E. B. Pickett, Charles DeMorse and B. H. Davis, on January 22, 1879, fixed the payment of students for board at \$200, subsequently reducing it to \$190 and the cost of uniforms at \$30, whereas now the total cost of students, exclusive of the trust fund of \$5, which is returned if no damage be done to college property, and \$15.50 for uniform, amounts to only \$140, which includes, board, fuel, washing, electric lights, room rent, bedsteads, mattresses, pillows, washstands, chairs, wardrobes, buckets, basins, slop cans, janitor service, hospital nurse, medicine and medical care; and in addition to these, text books and drawing instruments are practically free. In this connection we respectfully refer to the published letter of the president, dated February 26, 1893, showing relative cost to students at the Agricultural and Mechanical colleges of the different States.

We desire to remind the honorable

visiting committee that our interest and anxiety for the prosperity and success of this college are in no wise superior to what should be felt by any other citizen of the State, and our time and labor, to the neglect of our individual business, have been given with no other compensation than that following a consciousness of duty faithfully performed to the best of our respective abilities.

A. J. ROSE.

President Board of Directors.

W. R. CAVITT,

Local Director and Secretary of Board.

JOHN D. FIELDS,

JOHN ADRIANCE.

THE COMMITTEE REPLY.

Hon. A. J. Rose, W. R. Cavitt, J. D. Fields, John Adriance, Board of Directors Agricultural College:

AUSTIN, TEXAS, April 26.—Gentlemen: In reply to your "communication" of the 23rd ultimo, addressed to "Hon. J. W. Truitt, Chairman Legislative Educational Visiting Committee," the educational joint visiting committee of the Twenty-third Legislature submit the following statement, viz:

As the educational visiting committee of the Twenty-second Legislature made no report to that body concerning the Agricultural and Mechanical College, the educational visiting committee of the Twenty-third Legislature incorporated in their report to that body, as the first official notification to the Legislature by one of its visiting committee of a very important event in the affairs of the college, the following brief and simple statement, viz: "Something over two years ago the board of directors of the Agricultural and Mechanical college created the office of president of the college, fixing the salary at \$3500 per annum, and afterwards Gen. L. S. Ross was elected president, which place he has filled since February 1, 1891."

Replying to this, you say: "Taking their report in the order of its statement we assert, first, that the presidency of the college was created in 1879 by a board composed of Governor Richard Coke, Lieutenant-Governor R. B. Hubbard, Guy M. Bryan, Sr., B. H. Davis and C. S. West, and the salary fixed at \$4000, and Jefferson Davis was elected to the position. He declined and T. S. Gathright was elected at a salary of \$3000. After his services terminated, a board composed of Governor O. M. Roberts, Lieuten-

ant-Governor J. D. Sayers, Speaker of the House John H. Cochran, E. B. Pickett, A. J. Peeler, J. K. Dickson, H. W. Lydey, J. W. Durant and George Pfeuffer elected John G. James. He was succeeded by J. R. Cole, who was elected by the following board: Hon. George Pfeuffer, J. D. Thomas, T. M. Scott, C. C. Wiggin and J. G. Garrison. He resigned, after which this same board created the office of agent of the board, who, with the chairman of the faculty, discharged the duties until it was deemed advisable by the present board to again elect a president, and the position was tendered Governor L. S. Ross, who accepted and entered upon his duties February 2, 1891, at a salary of \$3500."

As the committee said not one word as to where or by whom the office of president of the college was first created, and as this very voluminous assertion of the board does not deny or contradict any part of the plain, brief statement of the committee, it certainly is unnecessary and pointless. In fact a full statement of the transactions of the boards during the period of time covered by your assertions would fully verify the correctness of the committee's statement, for at the identical meeting of the board which "created the office of agent of the board," and which was a special meeting held in July, 1883, it was "determined that the office of president should be abolished," as the college catalogue for 1883-84 plainly shows on the last page under the heading "Historical," and it was that act of that board which necessitated the creation of the office of president by the present board before they could elect the president to fill it.

While speaking of the \$4000 salary for Jefferson Davis and the \$3000 salary of T. S. Gathright, you could have stated that the salary was reduced to \$2300 after Gathright's time, as vouchers in the Comptroller's office show.

The report merely states the fact that the "laundry work was strongly and unanimously condemned," without saying or intimating that the college has a laundry of its own. As the board has the laundry work done by contract, in the opinion of the committee, it is the duty of the board to see that the work is properly done.

You say: "In regard to that part of the report charging carelessness and inattention upon the surgeon, it is believed the committee was misinformed and thereby misled."

The exact language of "that part of the report" referred to is this: "Con-

siderable complaint was also heard as to the carelessness and inattention of the surgeon of the college in his treatment of the sick."

The "complaint" was developed without being sought or expected by the committee, and was not voluntarily or willingly made. It came from students of the college, under the solemn sanction of an oath, in the course of an investigation which took a wide range and in the conduct of which great care was exercised by the committee to obtain facts only, and so positive and cumulative was the testimony on this point that the committee could not disregard it. The students of the college, separated from home, friends and relatives as they are, when they become hospital patients are unusually dependent on the surgeon for the care and attention upon which life and health depend, and every consideration of duty to those Texas boys demanded that the complaint which the committee heard should be reported for their interest, regardless of the sympathy and good will which the committee entertained for the surgeon.

It was in no wise the desire or intention of the committee to deprive the board of any credit due them for the good condition of Prairie View Normal school, and when the report was made to say the "Prairie View Normal school is a branch of the Agricultural and Mechanical College as well as a Normal school," the committee certainly supposed it to be well understood that the management of the Agricultural and Mechanical College was also the management of the Prairie View Normal school, as the two schools have been managed by the same board of directors for so many years that the fact has become a matter of public notoriety.

You say: "In regard to the charge that positions have been created and promotions made to advance the interest of friends and relatives rather than that of the college, we reply that there is only one member of the board having a relative connected with the college, whose son was a graduate of the college and an assistant professor long before his father was connected with the board, and no persons have been, at any time, rewarded because they were friends. Nepotism has always been scrupulously avoided."

The committee insists that the action of the board as stated by the committee, "in some instances exposed the board to the charge of having

been actuated by the desire to advance the interest of friends and relatives rather than the interest of the college." That charge having been made to the committee in almost the exact language of the committee report, in regard to the increased salary and advancement of the steward, the creation of subordinate professorships and appointments thereto, while the increase of salary and manner of appointment of the surgeon, Dr. Gillespie, and of the assistant chemist, D. Adriance, together with the continuous increase of the salary of Mr. Adriance, were particularly called to the attention of the committee, and was confirmed by authority so high that the committee could not avoid mention of the fact without gross violation of public duty. And surely the board as a whole will not profess to be ignorant as to the truth or the source of this information.

You say: "As an evidence of the concurrent judgment of a former board of directors of the Agricultural and Mechanical College on this point, and to correct the idea conveyed that the present management inaugurated what the committee claimed to be an extravagant salary to the steward, we state the fact that a former board of directors, composed of Governor R. B. Hubbard, Lieutenant-Governor Wells Thompson, B. H. Davis, T. M. Scott, E. B. Pickett, A. J. Peeler and Charles DeMorse, November 17, 1877, fixed the annual salaries of the surgeon and steward at \$2000 each, and there were not nearly so many students and others here then."

It is not necessary for the committee to explain the action of "a former board of directors," which you cite in justification of the high salaries paid the surgeon and steward by the present board further than to call your attention to the fact that if "a former board" actually and in good faith fixed those salaries as you state, the later action of some board reduced them very materially, for at the beginning of the fall session of 1891, the surgeon's salary was \$900 and the salary of the steward was \$1500; therefore, you had two precedents for your guidance instead of the one you cite, and as you chose to follow the precedent of increase and raise the surgeon's salary to \$1200 and the steward's salary to \$1800 first, and then to \$2000, you made yourselves directly responsible by your own action for those salaries as they are now. And the difference in the number of students at the two periods mentioned

by you is not so very great after all, as there were 261 matriculate then and 281 now.

Speaking of the steward you say: "Then we submit that his duties and salary should be compared with those in similar positions in large hotels, rather than those of the institutions cited by the visiting committee."

It would be as fair and proper to regulate the salary of the Attorney General of Texas by the princely salaries paid, in some instances, to attorneys of great railroad corporations—it would be as fair and proper to regulate the salary of the Governor of Texas by the munificent salaries paid their presidents by some great railway companies as to regulate the "salary and duties" of your steward by the salaries and duties of stewards in "large hotels." As this can not be done, because the one is regulated by public policy and public interest, while the other is purely a matter of private business and private interest, the committee can not understand why an exception in this particular should be made in favor of the steward of the Agricultural and Mechanical college of Texas, and his salary "compared with those of similar positions in large hotels rather than those of the institutions cited by the visiting committee." Especially is it difficult for the committee to understand why the salary of the steward of the Agricultural and Mechanical college of Texas should not be compared with the salary of the steward of the Agricultural and Mechanical college of Mississippi, which is \$1010, while the salary of your steward is \$2000.

The steward of "large hotels" is a caterer to the tastes and appetites of the wealthy and luxurious, and the qualifications that specially fit him for the place are as different to the qualifications required of the Agricultural and Mechanical college steward, as the objects and purposes of "large hotels" are different to the objects and purposes of agricultural and mechanical colleges, as different as the accommodations, bill of fare and bill of costs at "large hotels" are different to the accommodations, bill of fare and bill of costs at the Agricultural and Mechanical College.

The wife of the steward, you say, "attends to all the duties of a housekeeper in the fullest sense, at the mess hall, which are not less onerous than those connected with the largest boarding schools in the State, and

without pay. The duties of the steward are too numerous to mention in detail, but more than embrace all the duties discharged by the steward and housekeeper and paying agent at the Driskill hotel."

As you have a chief cook and second cook, first baker and second baker, two dishwashers and six waiters at the mess hall, and laborers to prepare the wood for fuel; as the steward gives no bond and takes no oath as "paying agent" in a public capacity, and as the president of the college is "clothed with the duties formerly discharged by the fiscal agent of the board and chairman of the faculty," the board must be mistaken in some of the preceding statements.

You say: "The committee say that 'change in salaries has been frequent, always involving increase in pay.' We say in reply to this that the board has reduced the cost of service in the president's and treasurer's office \$800 per annum, abolished the office of foreman of the farm at a salary of \$800 per annum, and reduced the salary of one professor \$250 and that of another from \$2000 to \$1500 a year, and afterward increased it to \$1800, a difference of \$200 per annum, making a total saving in these instances of \$2050 per annum. These changes have all been made since January 1, 1891, and are matters of record."

The claim that the board, since January 1, 1891, "have reduced the cost of the service in the president's and treasurer's office \$800" is not sustained by the comparative statement on the subject furnished the committee by the bookkeeper at the college, which statement is as follows, viz:

1889. "L. L. McInnis—	
For salary other than professor of mathematics	\$ 400
Salary as treasurer of station ..	300
Salary as treasurer of Prairie View normal school.....	100
Total	\$ 800
T. M. Scott—	
Agent board of directors.....	1,809
G. A. Rogers, book-keeper	1,080
Grand total.....	\$3,680
1893. General L. S. Ross—	
President.....	\$3,500
J. H. Carter, secretary Agricultural and Mechanical College and Prairie View normal.....	1,600
E. W. Hutchinson, book-keeper ..	1,200
Present cost, total	\$6,300

Former cost	3,680
Excess of present over former cost	\$2,620

It is true that L. L. McInnis was then professor of mathematics, at a salary of \$2250, but as Professor Charles Puryear is now professor of mathematics, at a salary of \$2250, the same that was paid to Professor McInnis, the one exactly balances the other and leaves the cost for the two periods as stated above.

To make this proposition plain, the cost of the department of mathematics under Professor McInnis was \$4105; now under Professor Puryear it is \$4950, an excess over former cost of \$845. Add this excessive cost to the excessive cost of the president's and treasurer's office, and it shows that the president and treasurer's office combined with the department of mathematics costs \$3465 more per annum now than they cost under Professor McInnis. The figures are taken from the statement furnished the committee by the book-keeper of the college.

You claim to have reduced the salary of one professor \$250 per annum: to have been exact in the matter, you should have stated that you first increased the salary of that professor from \$2250 to \$2500, and that the reduction for which you claim credit was the reduction of the salary from \$2500, where you have placed it, back to \$2250. If you are entitled to so much credit for the reduction, what shall be said of the increase which made that reduction necessary?

To substantiate the committee report as to change and increase in salary, the following table of salaries, beginning with the session of 1889-90, is submitted, viz:

	'89-90.	'90-1.
J. M. Carson	\$ 600	\$ 600
J. W. Carson	780	800
A. M. Guenther	780	800
R. F. Smith	1,000	1,000
E. W. Hutchison	600	720
F. E. Giesecke	1,000	1,000
D. Adriance	780	1,100
Surgeon	900	900
Steward	1,500	1,800
H. Ness		450
Commandant		
	'91-2.	'92-3.
J. M. Carson	\$ 980	\$1,000
J. W. Carson	980	1,200
A. M. Guenther	935	1,000
R. F. Smith	1,200	1,400
E. W. Hutchison	1,200	1,200
F. E. Giesecke	1,500	1,500
D. Adriance	1,200	1,500
Surgeon	1,200	1,200
Steward	1,800	2,000

H. Ness	730	920
Commandant	570	570

And others not necessary to mention.

You say: "The honorable committee is mistaken as to the \$10,142 and board for twenty-two employees paid by the State."

The committee made no such statement; they say nothing at all as to the fund from which the \$10,142 was paid to employees; they state that board for twenty-two of them was furnished by the State. The exact language of the report, which you pretend to quote, is this: "Thirty-six employees, salary one year, \$10,142; two years, \$20,284; and board for twenty-two of them furnished by the State." Compare the actual language of the report with the language you impute to it, and you will discover that the mistake is in the board instead of the committee.

In support of the statement that the college has been diverted from the "plain purpose of its founding," the committee submit the following brief considerations, viz:

1st. Lieutenant Guy Carleton, at one time professor of military science and tactics at the college, in his report for 1889 concerning the military department of the college, says: "After an investigation of this subject, I am assured that this college provides more liberally for the military instruction of its students than any similar institution in the South."

2d. The time allotted to military drill at the Agricultural and Mechanical college of Texas averages "about four and one-half hours per week during the fall and spring terms," of each year for the entire four years' course.

The time allotted to military drill in the Agricultural and Mechanical college of Iowa is two hours per week during the spring and fall terms of each year for two years; the third year one hour per week for military drill is allowed; provided the student chooses the drill as a part of the course, but the fourth year it is not allowed to the student in agriculture and mechanic arts at all. Taking it all together, more than twice the time is devoted to military drill in the Agricultural and Mechanical college of Texas than is allotted to it in the Agricultural and Mechanical college of Iowa.

3. Students can not graduate and receive a diploma from the college without proficiency in military drill and tactics. "of which proficiency, as the head of that department," the professor of military science "is the sole judge,

subject only to approval by the board.

* * * As a result of this, it is absolutely necessary that the working student stop work to a certain degree for a time before the expiration of his college course in order to reach the minimum standard of military proficiency required for graduation, which makes the military, instead of the agricultural and mechanical departments, the standard for graduation from an agricultural and mechanical college. What would be thought of a military school that should require proficiency in agriculture and mechanic arts as the standard of graduation for military students?

4. You make it your boast that you have economized the expenses of the college \$800 per year by abolishing the office of foreman of the farm. The very department of all others that should be enlarged, being the very one to which you apply the pruning knife of reduction and curtailment.

You say, "in regard to the part of the report relating to the commandant and his duties being too onerous, we are informed that he does not complain of being overworked, and the hearty commendation of the committee of the efficiency thereof, coupled with the fact that the present standard of morals and deportment of cadets is far higher than at any period in the history of the college, is sufficient answer to this criticism."

The committee found existing in the college a state of affairs seriously affecting the morals of the students, and as the commandant has, "under the president, immediate charge of the discipline of the students * * * and all that affects the general interest and welfare of the cadets," for which "charge" the board grants him an annual salary of \$570, in addition to the salary paid him by the Federal government as an officer of the United States army, the committee notified him, specifically and in detail, of those evils, and earnestly suggested to him that he exercise such careful watch and supervision of the students' quarters and conduct as would suppress the prevailing evils, and it is a fact that the commandant stated to the committee that he could not do so because of his other work and duties, and it was that statement of that officer which caused the committee to suggest that the duties then devolving "solely upon the commandant" should be shared by the faculty in such manner as would unite the efforts of commandant and faculty in the common pur-

pose of eradicating the evils which the committee found nestling, like a serpent in its den, behind your boasted military discipline.

There is no "heartly commendation of the efficiency" of the commandant in the committee report. It commends the sanitary regulations of the college, the good condition of the students' quarters, and adds: "The military discipline of the college has been much improved in the last two years according to the general expression on the subject."

Such was the "general expression" as to improvement in the "military discipline" of the college, and so far as the mere training of the soldier goes, it may be all that "general expression" and the board of directors claim for it, but for the training of the man the committee deems it a failure. Looking beneath the showy and attractive exterior presented by the military discipline, the committee found it like the whitened sepulchre—fair to the view, while within was the ghastly skeleton. All discipline at the college is worthless that does not firmly embrace the moral conduct and moral training, and securely fortify the moral character of the young men of Texas who seek there the foundations of honorable and useful careers, and these things your military discipline fails to do.

You say: "In conclusion we offer as an evidence of continued reductions in the expenses of students at the college the following facts: That a former board of directors composed of Governor O. M. Roberts, Lieutenant-Governor J. D. Sayers, Speaker of the House John H. Cochran, A. J. Peeler, E. B. Pickett, Charles DeMorse and B. H. Davis, on January 22, 1879, fixed the payment of students for board at \$200, subsequently reducing it to \$190 and the cost of uniforms at \$30; whereas now, the total cost of students, exclusive of the trust fund of \$5, which is returned if no damage is done to private property, and \$15.50 for uniforms, amounts to only \$140, which includes board, fuel, washing, electric lights, room rent, bedsteads, mattresses, pillows, washstands, chairs, wardrobes, buckets, basins, slop-cans, janitor service, hospital nurse, medicine and medical care, and in addition to these texts books and drawing instruments are practically free."

Taking the preceding statement without explanation, it would seem that the present board is entitled to credit for great reduction of expenses to students for board at the college, when such is really not the case, as the following

comparative statement for the years mentioned will show, viz:

	1883-84	1892-93
Expenses.....	\$150	\$140 00
Trust fund.....	5	5 00
Uniforms.....	15 to 18	15 50
Books and stationery	5 to 8	5 to 20

As the college furnished board, fuel, washing, lights, rooms, bedsteads, mattresses, pillows, tables, washstands, chairs, wardrobes, buckets, basins, slop-cans, janitor service, hospital nurse, medicine and medical attention then as it does now, the present board of directors has reduced the cost of board to students only \$10 in fact, and considering the difference in the cost of living, clothing, books and stationery, now as compared with their cost in 1883-84, your boasted reduction of expenses to students is not worthy of mention.

This becomes more apparent when the amount of money received by the college now is compared with the amount it received in 1879, the year of highest cost of board at the college, for then it was dependent for its maintenance and support upon its endowment fund and the amount it received from students for board, while now these funds are supplemented with liberal appropriations from the State and Federal governments. Beginning with the fall session of 1878, so as to include the year 1879 (which is cited by you), the college received in two years from—

Endowment fund.....\$28,560
and the board paid by students.

For the two years beginning with March 1, 1891, the college received from

Endowment fund.....\$28,560
State appropriation.....40,000
U. S. Morrill fund.....38,250
and the board paid by students.

This brings us to the close of your "communication," and after going over this field again, as you have forced us to do, the committee must insist that the committee report is not only fair, but is liberal and lenient to the board of directors. Thoroughly convinced by their examination of the urgent necessity for thorough reform in college affairs, it was the earnest desire of the committee for those reforms to be brought about in a thoroughly effective manner, and yet without sensation or scandal, so as to avoid all chance of injury to the college. Believing all this could be accomplished by a plan which was well and carefully considered and agreed upon by the committee, the committee report was purposely silent on college affairs of great moment, as is well known to

the officers of the college, who were informed by the committee of evils which the committee found existing in the college, and which should be thoroughly and effectively suppressed.

JAMES W. TRUIT,
JAS. I. MOODY,
R. LEE RAGSDALE,
W. M. INBODEN,
E. L. AGNEW.

Educational Joint Visiting Committee, Twenty-third Legislature.

Senator Cranford made the following free conference committee report:

COMMITTEE ROOM.

AUSTIN, TEXAS, May 2, 1893.

Hon. M. M. Crane, President of the Senate,
and Hon. J. H. Cochran, Speaker of the
House of Representatives:

Your free conference committee, to whom was referred the differences existing between the two houses on

Substitute Senate bills Nos. 29, 36, 82, 126 and 128, entitled "An act to divide the State of Texas into six supreme judicial districts; to provide for and establish a court of civil appeals in each of said districts; to prescribe the time of holding said courts, and to repeal all laws in conflict with the provisions of this act."

Have carefully considered the same and we recommend that the accompanying substitute be adopted in lieu of said original substitute Senate bill No. 29, 36, 82, 126 and 128, and that said substitute do pass.

All of which is respectfully submitted.

CRANFORD,
LEWIS,
AGNEW,
PRESLER.

Committee on part of Senate.

WEINERT,
CUNNINGHAM,
JAMES,
FAGAN.

Committee on part of House.

A bill to be entitled "An act to divide the State into five supreme judicial districts; to provide for and establish a court of civil appeals in each of said districts; to prescribe the time for holding of said courts, and to repeal all laws in conflict with the provisions of this act.

Section 1. Be it enacted by the Legislature of the State of Texas: That the State of Texas be, and the same is hereby divided into five supreme judicial districts for the purpose of constituting and organizing courts of civil appeals therein respectively.

Sec. 2. That one of the civil courts of appeals shall be held in the First

supreme judicial district in the city of Galveston, in the county of Galveston.

Sec. 3. That one of the civil courts of appeals shall be held in the Second supreme judicial district in the city of Fort Worth, in the county of Tarrant.

Sec. 4. That one of the civil courts of appeals shall be held in the Third supreme judicial district in the city of Austin, in the county of Travis.

Sec. 5. That one of the civil courts of appeals shall be held in the Fourth supreme judicial district, in the city of San Antonio, in the county of Bexar.

Sec. 6. That one of the civil courts of appeals shall be held in the Fifth supreme judicial district, in the city of Dallas, in the county of Dallas.

Sec. 7. The following counties shall compose the First supreme judicial district: Newton, Jasper, Orange, Jefferson, Hardin, Tyler, Polk, Trinity, Houston, Madison, Walker, San Jacinto, Liberty, Chambers, Harris, Montgomery, Grimes, Washington, Waller, Fort Bend, Brazoria, Matagorda, Wharton, Colorado, Austin, Fayette, Lavaca, Jackson, Colhoun, Victoria, DeWitt, Goliad, Refugio, San Patricio, Aransas, Nueces, Hidalgo, Cameron, Sabine, San Augustine, Nacogdoches, Angelina, Anderson, Freestone, Limestone, Robertson, Brazos, Leon, Burleson, Galveston, Starr, Shelby, Cherokee, Rusk and Panola.

Sec. 8. The following counties shall compose the Second supreme judicial district: Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hartley, Moore, Hutchinson, Roberts, Hemphill, Oldham, Potter, Carson, Gray, Wheeler, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Palmer, Castro, Swisher, Briscoe, Hall, Childress, Bailey, Lamb, Hale, Lloyd, Motley, Cottle, Foard, Hardeman, Wilbarger, Wichita, Cooke, Montague, Clay, Archer, Baylor, Knox, King, Dickens, Crosby, Lubbock, Hockley, Cochran, Yoakum, Terry, Linn, Garza, Kent, Stonewall, Haskell, Throckmorton, Young, Jack, Wise, Denton, Tarrant, Parker, Palo Pinto, Stephens, Shackelford, Jones, Fisher, Scurry, Borden, Dawson, Gaines, Andrews, Martin, Howard, Mitchell, Nolan, Taylor, Callahan, Bosque, Eastland, Erath, Hood, Somervell and Comanche.

Sec. 9. The following counties shall compose the Third supreme judicial district: Ector, Midland, Glasscock, Sterling, Coke, Runnels, Coleman, Brown, Mills, Hamilton, Coryell, Bell, Lampasas, San Saba, McCulloch, Concho, Tom Green, Irion, Llano, Burnet, Williamson, Milam, Lee, Bastrop,

Travis, Blanco, Hays, Comal, Caldwell, McLennan and Falls.

Sec. 10. The following counties shall comprise the Fourth supreme judicial district: El Paso, Loving, Winkler, Reeves, Jeff Davis, Presidio, Brewster, Buchel, Pecos, Ward, Crane, Upton, Crockett, Val Verde, Schleicher, Sutton, Edwards, Kinney, Maverick, Menard, Kimble, Kerr, Bander, Uvalde, Zavala, Dimmit, Webb, Encinal, La Salle, Frio, Medina, Duval, McMullen, Atascosa, Bexar, Kendall, Gillespie, Mason, Guadalupe, Wilson, Live Oak, Zapata, Bee, Gonzales and Karnes.

Sec. 11. The following counties shall compose the Fifth supreme judicial district: Grayson, Collin, Dallas, Rockwall, Ellis, Navarro, Kaufman, Henderson, Van Zandt, Rains, Hunt, Fannin, Lamar, Hopkins, Delta, Wood, Smith, Red River, Titus, Franklin, Camp, Upshur, Gregg, Harrison, Marion, Cass, Morris, Bowie, Johnson and Hill.

Sec. 12. The terms of said courts shall commence on the first Monday in September of each year, and may continue in session until the first Monday in July of each succeeding year.

Sec. 13. When the number of cases on the docket of any court of civil appeals shall have accumulated to any extent greater than can be disposed of in a reasonable time, the supreme court shall, upon the application of the chief justice of the court where the accumulation exists, counsel for appellant and appellee consenting thereto, have power to order a sufficient number of such cases transferred to any one or more of the other courts of civil appeals whose dockets are not so crowded.

Sec. 14. The courts of civil appeals as now organized shall, upon the organization of the new courts herein provided for, transfer to each of said courts respectively all cases appealed from counties within the respective districts of said new courts in the same manner and way in which cases were transferred to said courts from the supreme court under the provisions of section 4 of the act of April 13, 1892.

Sec. 15. The present judges of the courts of civil appeals as now constituted shall continue in office until the expiration of their respective terms.

Sec. 16. The first term of the court of civil appeals in the said Fourth and Fifth supreme judicial districts shall be held as soon after this act goes into effect as practicable for the said courts to organize.

Sec. 17. That immediately after this act shall take effect the Governor shall appoint suitable persons as chief jus-

tices and associate justices of the courts of civil appeals in and for each of the supreme judicial districts herein created who shall hold their respective offices until the next general election held for State and county offices, and until their successors shall be elected and qualified.

Sec. 18. That all laws and parts of laws in conflict with the provisions of this act be, and the same are hereby repealed.

Sec. 19. That the near approach of the close of the present session of the Legislature, and the fact that the present courts of civil appeals are unable to dispose of the cases on their dockets in a reasonable length of time, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

COMMITTEE ROOM,
AUSTIN, TEXAS, May 2, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Finance, to whom was referred

House bill No. 708, a bill to be entitled "An act for the immediate relief of citizens of Cisco and Eastland county, who suffered from a tornado on the night of April 28, 1893, and to appropriate \$10,000 therefor."

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

JESTER, Chairman.

Senator Baldwin moved to suspend regular business and take up

House bill No. 708, a bill to be entitled "An act for the immediate relief of citizens of Cisco and Eastland county, who suffered from a tornado on the night of April 28, 1893, and to appropriate \$10,000 therefor."

Carried.

On motion of Senator Baldwin the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its second reading by the following vote:

YEAS—21.

Agnew,	Kearby,
Baldwin,	Lawhon,
Boren,	Lewis,
Cranford,	McComb,
Dean,	Simpson,
Dickson,	Smith,
Douglass,	Steele,
Greer,	Tips,
Hutchison,	Woods,
Imboden,	Yoakum.
Jester,	

NAYS—none.

ABSENT—8.

Atlee,	McKinney,
Bowser,	Presler,
Crowley,	Shelburne,
Goss,	Swayne.

EXCUSED—2.

Browning,	Whitaker.
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Bill read second time.

By Senator Dean:

Amend by striking out the words "ten thousand," and insert in lieu thereof the words "twenty thousand."

Lost:

On motion of Senator Imboden the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

YEAS—23.

Agnew,	Kearby,
Baldwin,	Lawhon,
Boren,	Lewis,
Cranford,	McComb,
Crowley,	Shelburne,
Dean,	Simpson,
Dickson,	Smith,
Douglass,	Steele,
Greer,	Tips,
Hutchison,	Woods,
Imboden,	Yoakum.
Jester,	

NAYS—none.

ABSENT—6.

Atlee,	McKinney,
Bowser,	Presler,
Goss,	Swayne.

EXCUSED—2.

Browning,	Whitaker.
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Bill read third time and passed by the following vote:

YEAS—22.

Agnew,	Jester,
Baldwin,	Kearby,
Boren,	Lawhon,
Cranford,	Lewis,
Crowley,	McComb,
Dean,	Shelburne,
Dickson,	Simpson,
Douglass,	Smith,
Greer,	Tips,
Hutchison,	Woods,
Imboden,	Yoakum.

NAYS—1.

Steele.

ABSENT—6.

Atlee,	McKinney,
Bowser,	Presler,
Goss,	Swayne.

EXCUSED—2.

Browning,	Whitaker.
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Senator Baldwin moved to reconsider the vote by which the bill passed, and to lay that motion on the table.

Tabled.

On motion of Senator Shelburne, regular business was suspended and House bill No. 579 taken up.

By consent, Senator Agnew offered the following bill:

A bill to be entitled "An act prescribing for what causes public officials may be impeached and defining the method of procedure thereunder."

Read first time and referred to Judiciary Committee No. 1.

On motion of Senator Cranford, Assistant Secretary Wortham was excused for to-day on account of sickness.

On motion of Senator Kearby, the official maps of Harris and Liberty counties used in the impeachment trial were consigned to the custody of the clerk of the court till the completion of their use in the trial, and then to be returned to the Land Office.

On motion of Senator Baldwin, Senate adjourned to 2:30 p. m.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

Lieutenant-Governor Crane in the chair.

Roll called.

No quorum, the following Senators answering to their names:

PRESENT—17.

Agnew,	Kearby,
Boren,	McKinney,
Cranford,	Shelburne,
Crowley,	Simpson,
Dean,	Smith,
Dickson,	Steele,
Douglass,	Woods,
Hutchison,	Yoakum.
Jester,	

ABSENT WITHOUT LEAVE—12.

Atlee,	Lawhon,
Baldwin,	Lewis,
Bowser,	McComb,
Goss,	Presler,
Greer,	Swayne,
Imboden,	Tips.

EXCUSED—2.

Browning,	Whitaker.
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Senator Dean moved a call of the Senate, which was ordered, the following answering to their names:

PRESENT—20.

Agnew,	Kearby,
Baldwin,	Lewis,
Boren,	McKinney,
Cranford,	Shelburne,

Crowley,	Simpson,
Dean,	Smith,
Dickson,	Steele,
Douglass,	Tips,
Hutchison,	Woods,
Jester,	Yoakum.

ABSENT WITHOUT LEAVE—9.

Atlee,	Lawhon,
Bowser,	McComb,
Goss,	Presler,
Greer,	Swayne.
Imboden,	

EXCUSED—2.

Browning,	Whitaker.
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(Senator McComb was announced.)

UNFINISHED BUSINESS.

The Chair laid before the Senate House bill No. 579, "An act to prescribe the time of holding the terms of the district court in the Eleventh judicial district," on second reading.

The bill was read second time and passed to a third reading.

On motion of Senator Shelburne the constitutional rule requiring bills to be read on three several days, was suspended, and the bill was put on its third reading and final passage by the following vote:

YEAS—21.

Agnew,	Lewis,
Baldwin,	McComb,
Boren,	McKinney,
Cranford,	Shelburne,
Crowley,	Simpson,
Dean,	Smith,
Dickson,	Steele,
Douglass,	Tips,
Hutchison,	Woods,
Jester,	Yoakum.
Kearby,	

NAYS—none.

ABSENT—8.

Atlee,	Imboden,
Bowser,	Lawhon,
Goss,	Presler,
Greer,	Swayne.

EXCUSED—2.

Browning,	Whitaker.
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The bill was then read third time, and passed by the following vote:

YEAS—21.

Agnew,	Lewis,
Baldwin,	McComb,
Boren,	McKinney,
Cranford,	Shelburne,
Crowley,	Simpson,
Dean,	Smith,
Dickson,	Steele,
Douglass,	Tips,
Hutchison,	Woods,
Jester,	Yoakum.
Kearby,	

NAYS—none.

ABSENT—8.

Atlee,	Imboden,
Bowser,	Lawhon,
Goss,	Presler,
Greer,	Swayne.

EXCUSED—2.

Browning, Whitaker.

The Chair gave notice of signing and did sign, after their captions had been read.

House bill No. 356, "An act to prevent and punish persons enticing or decoying minors away from the custody of their parents or guardians, and to give certain benevolent institutions and orphans' homes the rights of guardians over minors surrendered to such institutions and homes for support and education," with Senate amendment.

Also House bill No. 458, entitled "An act to authorize the county commissioners court of the several counties of this State to issue courthouse and jail and bridge bonds, and to repeal all other laws authorizing the issuance of county courthouse and jail and bridge bonds."

Also House bill No. 705, "An act to define the jurisdiction of the county court of Dallas county, and to expressly confer jurisdiction thereon in specified criminal cases."

On motion of Senator Steele, the pending business was suspended and

House bill No. 360, being "An act to amend an act of the regular session of the Twenty-second Legislature, entitled an act to amend article 541a of the Revised Civil Statutes of the State of Texas, and to validate incorporations of towns and villages for free school purposes, heretofore made under certain conditions, approved April 10, 1891," taken up.

(Senators Imboden and Greer announced.)

The Chair laid the bill before the Senate, on its second reading.

Bill read the second time.

Senator Lewis offered the following amendment:

Amend by striking out in lines 13 and 14 and again in line 45 of section 1 the words "sixteen square miles," and insert in lieu thereof the following: "Three miles from the center of such town or village."

Pending consideration of which the Chair announced that the hour had arrived for the Senate to go into High Court of Impeachment and accordingly the Senate was resolved into court.

AFTER COURT—IN SENATE.

The Chair gave notice of signing House bill No. 577, a bill to be enti-

tled "An act to prevent the catching or taking of fish, except with the ordinary hook, line and pole, or trot line, and to prevent the use of traps, nets, seines, chinaberries, indiaberries or other poisonous substances, or dynamite, giant powder, nitro-glycerine or other explosive compounds in any waters in Cherokee county, Texas, for the purpose of catching or taking of fish therefrom," and signed same after its caption had been read.

On motion of Senator Dean the Senate adjourned to 9 a. m. to-morrow.

NINETY-FIFTH DAY.

SENATE CHAMBER,

AUSTIN, TEXAS, May 3, 1893.

Senate met pursuant to adjournment.

Lieutenant-Governor Crane in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

PRESENT—25.

Agnew,	Kearby,
Atlee,	Lawhon,
Baldwin,	Lewis,
Bowser,	McComb,
Cranford,	McKinney,
Crowley,	Shelburne,
Dean,	Simpson,
Dickson,	Smith,
Douglass,	Steele,
Greer,	Tips,
Hutchison,	Woods,
Imboden,	Yoakum.
Jester,	

ABSENT—4.

Boren,	Presler,
Goss,	Swayne.

EXCUSED—2.

Browning, Whitaker.

Prayer by the Chaplain, Dr. Briggs, as follows:

Our Father, Thou hast promised to all who put their trust in Thee that as their days are so shall their strength be. Keep Thy word with us for this day. Grant us all needed wisdom and supply all strength and comfort. Emancipate every soul and lead it forth into all the width and glory of the kingdom of truth. Inspire the mind, the heart, the will, that there may be wise thought, un-failing charity and unshaken resolution. May the day's work honor God and bless mankind, we ask for Thy name's sake. Amen.

The journal of yesterday not being